

2009 DRAFTING REQUEST

Bill

Received: **09/19/2008**

Received By: **agary**

Wanted: **Soon**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Byrnes**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies: **EVM**

Submit via email: **NO**

Pre Topic:

DOA:.....Byrnes, BB0015 -

Topic:

License plate program reissuance

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 09/19/2008	wjackson 09/22/2008					State
/1	agary 01/30/2009		jfrantze 09/23/2008		mbarman 09/23/2008		State
/2	agary 02/06/2009	bkraft 02/06/2009	phenry 02/06/2009		mbarman 02/06/2009		

FE Sent For:

<END>

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12 bjk 2/6

2/6
ph

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/?	agary	1 wly 9/22	Sub	9/22			

FE Sent For:

<END>

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: License Plate Program Reissuance
- Tracking Code: BB0015
- SBO team: Tax, Transportation and Budget Development Team
- SBO analyst: Tyler Byrnes
 - Phone: 266-1039
 - Email: tyler.byrnes@wisconsin.gov
- Agency acronym: DOT
- Agency number: 395
- Priority (Low, Medium, High): Medium

Intent: Please prepare a draft amending s. 341.135, Wis. Stats., to eliminate the mandatory start date of the next and subsequent reissuance cycles. Insert permissive language so that the Department can continue reissuance as funding is available. Also eliminate the requirement mandating a new license plate design each reissuance cycle. Instead, insert permissive language allowing the department to continue with the same plate design from the previous cycle. Effective date of changes is the effective date of the budget bill.

Department of Transportation 2009-11 Biennial Budget Request STATUTORY MODIFICATIONS

DIN NUMBER:

TOPIC: License Plate Program – Reissuance

DESCRIPTION OF CHANGE:

The Department requests authority to modify statutory language so that license plates are reissued through an administrative process.

Amend s.341.135 Wis. Stats., to eliminate the mandatory start date of the next and subsequent reissuance cycles. Insert permissive language so that the Department can continue reissuance as funding is available.

Amend s.341.135 Wis. Stats., to eliminate the mandatory requirement that each reissuance cycle must have a new license plate design. Insert permissive language allowing the Department to continue reissuance with the same plate design from the previous cycle.

The effective date of these changes is the effective date of the budget bill.

JUSTIFICATION:

Over the past ten years, statutory language governing the reissuance of license plates has been created and modified. 1997 Wisconsin Act 237 created s.341.135 Wis. Stats., requiring reissuance of motor vehicle license plates according to a statutorily fixed schedule. Subsequently, 1999 Wisconsin Act 9 mandated a five-year license plate reissuance cycle for auto, auto-look plates, and some special group plates, and provided additional funding to undertake this initiative. The Department began reissuing auto and light duty truck plates with a modified plate design in July 2000.

Wisconsin's license plate reissuance program was subsequently modified by 2001 Wisconsin Act 16 which authorized the Department to extend the reissuance cycle to a seven-year cycle, and 2005 Wisconsin Act 25 which extended the reissuance cycle to ten years. The license plate reissuance program was also diminished during these years by both permanent base reductions and annual lapses from the reissuance budget in FY 01 through FY 07 in response to statewide budget constraints.

Act 25 provided no additional resources to meet the 10-year replacement cycle. The Governor's Veto Message for Act 25 recognized the lack of funding to continue reissuance and indicated that the Department could either request additional funding or request a repeal of the statutory replacement schedule in future budgets.

Ideally, the decision to replace license plates is a business decision based on an evaluation of overall plate condition, changes in material quality, usage patterns for various plate types, emerging technologies, and funding. Plate condition consists of both background reflectivity and letter readability. While the Department has a five-year manufacturer guarantee on sheeting reflectivity, plates typically maintain both reflectivity and readability for much longer. However, there are no uniform industry standards for the timing of reissuance or how often to change plate design.

Wisconsin's neighboring states have varied policies on these issues. Minnesota replaces its license plates every seven years, as mandated by statute, and collects a plate replacement fee for reissuance. After 15 years, Illinois received funding to begin reissuance in 2001 and in 2005 completed its reissue of 10 million license plates. Michigan last replaced its plates in 1982 and was statutorily required to issue new plates beginning January 2007. Iowa administratively determines the timing for license plate

reissuance, last replaced its plates in 1997 and has made no decision regarding the timing of the next reissuance period.

Current statutes direct the Department to begin a second reissuance cycle, including a new plate design, for registration renewals effective July 1, 2010. The number of plates that must be reissued each year and the resulting workload and budget impact is more prescriptive in the second and subsequent reissuance cycles than the first cycle. During FY 01 and FY 02, the Department reissued a significant number of plates due to the five-year cycle at that time. In later years, as the reissuance cycle lengthened and the rebasing budget decreased due to required budget reductions and permanent cuts, the number of plates reissued was also significantly fewer than the first two years. This uneven distribution of plates to be reissued in subsequent cycles will be repeated – the statutes will require a significant number of plates to be reissued in FY 11 and FY 12.

The requested statutory modification will allow the Department to administratively select the time period to undertake replacement of license plates, by considering the age and condition of the license plates in Wisconsin's fleet and budget considerations.

In addition, the statutes require a new license plate design for each reissuance cycle. The degree of plate design change is not defined but could be as minor as a graphic line change to the top or bottom banners or as significant as sheeting color change or a complete change to the graphic displayed on the license plate.

Modifying the plate design or graphic for each reissuance cycle can be a useful approach to detect improper display of registration plates or invalid registration. However, this enforcement tool is valid only when the reissuance cycle is relatively short, which results in a limited amount of time for two different looks of the license plate to be valid on the street.

With the current 10-year reissuance cycle, there is a prolonged period of inconsistent license plate graphics that are valid displays of registration. The varied looks are confusing for both the public and for law enforcement. The law enforcement community cannot use a new graphic or plate design as the visual means to quickly detect improper registration plate display.

As an alternative to a graphic change, distinguishing reissuance cycles could be accomplished through alpha-numeric sequential numbering changes or through changes to the color of the characters displayed on the plate. The decision to change a plate design that results in new raw materials should be a business decision that reflects thoughtful analysis of customer and law enforcement needs, methods to distinguish Wisconsin's plates from other states, new plate technologies, economic concerns, and other factors that are administrative in nature.

The requested statutory modification will allow the Department to administratively determine what type of plate design should be pursued for each reissuance cycle. At this time, the Department has no reason to change the plate design other than complying with a statutory mandate.

in 9/19

-0321/1

LRB-0126/1

ARG:wlj:jf

stays RMNR

heading

TRANSPORTATION

CS Drivers and motor vehicles

Subheading

2009 BILL

DOA Budget Line

the budget

DO NOT GEN

- 1 AN ACT *to repeal* 341.135 (11) (title) and 341.135 (2); and *to consolidate,*
- 2 *renumber and amend* 341.135 (1) and (2m) of the statutes; *relating to:*
- 3 registration plate redesign and reissuance.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Transportation (DOT) to establish new designs for most vehicle registration plates every ten years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners.

This bill eliminates the current ten-year redesign and reissuance schedule for most vehicle registration plates and instead requires that registration plates be redesigned and reissued at intervals determined by DOT.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 4 SECTION 1. 341.135 (1) and (2m) of the statutes are consolidated, renumbered
- 5 341.135 and amended to read:
- 6 **341.135 Rebasing registration plates.** Every 10th year, the At intervals
- 7 determined by the department, the department shall establish new designs of

BILL

1 registration plates to be issued under ss. 341.14 (1), (1a), (1m), (1q), (2), (2m), (6m),
2 and (6r), 341.25 (1) (a), (c), (h), and (j) and (2) (a), (b), and (c), and 341.26 (2) and (3)
3 (a) 1. and (am). Any design for registration plates issued for automobiles and for
4 vehicles registered on the basis of gross weight shall comply with the applicable
5 design requirements of ss. 341.12 (3), 341.13, and 341.14 (6r) (c). The designs for
6 registration plates specified in this subsection section shall be as similar in
7 appearance as practicable during each 10-year design interval. Except as provided
8 in ss. 341.13 (2r) and 341.14 (1), each registration plate issued under s. 341.14 (1),
9 (1a), (1m), (1q), (2), (2m), (6m), or (6r), 341.25 (1) (a), (c), (h), or (j) or (2) (a), (b), or (c),
10 or 341.26 (2) or (3) (a) 1. or (am) during each 10-year design interval shall be of the
11 design established under this subsection section. The department may not redesign
12 registration plates for the special groups under s. 341.14 (6r) (f) 53., 54., or 55. until
13 July 1, 2010. ~~Except for registration plates issued under s. 341.14 (6r) (f) 53., 54., or~~
14 ~~55., the first design cycle for registration plates issued under ss. 341.14 (1), (1a), (1m),~~
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16 ~~341.26 (2) and (3) (a) 1. and (am) began July 1, 2000. (2m) APPLICABILITY:~~
17 Notwithstanding s. 341.13 (3), as the department establishes new designs for
18 registration plates under this section, the department shall, at the time determined
19 appropriate by the department, issue registration plates of the new design to replace
20 registration plates previously issued. This section does not apply to special group
21 plates under s. 341.14 (6r) (f) 19m.

22 **SECTION 2.** 341.135 (1) (title) of the statutes, as affected by 2009 Wisconsin Act
23 (this act), is repealed.

24 **SECTION 3.** 341.135 (2) of the statutes is repealed.

25 (END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0321/11 2 #bjk

ARG:wlfjif step

AMR

note

DOA:.....Byrnes, BB0015 - License plate program reissuance

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

LPS - check sorting.

SAV

do not gen.

1 AN ACT ...; relating to: the budget.

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TRANSPORTATION

DRIVERS AND MOTOR VEHICLES

Current law requires DOT to establish new designs for most vehicle registration plates every ten years and to issue the new plates on a rolling basis as vehicle registrations are renewed by the vehicle owners.

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25 (END)

D-Note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0321/2dn

ARG:.....

Lbjk

Date

ATTN: Tyler Byrnes

This draft makes a technical correction in the ^{CS}section heading for ^{CS}section 2.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0321/2dn
ARG:bjk:ph

February 6, 2009

ATTN: Tyler Byrnes

This draft makes a technical correction in the SECTION heading for SECTION 2.

Aaron R. Gary
Legislative Attorney
Phone: (608) 261-6926
E-mail: aaron.gary@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0321/2
ARG:wlj&bjk:ph

DOA:.....Byrnes, BB0015 - License plate program reissuance

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

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23 SECTION 3. 341.135 (2) of the statutes is repealed.

24 (END)